APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/769,452	01/26/2001	Jussi Petri Myllymaki	ARC9-2000-0103-US1	5448

29154 7590 03/23/2007	**EXAMINER**
FREDERICK W. GIBB, III	PEREZ, ANGELICA
Gibb & Rahman, LLC	

2568-A RIVA ROAD	**ART UNIT** **PAPER NUMBER**
SUITE 304	
ANNAPOLIS, MD 21401	2618

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	Applicant(s)
Office Action Summary	09/769,452	MYLLYMAKI, JUSSI PETRI
	Examiner	Art Unit	
	Perez M. Angelica	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *19 January 2007*.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-25* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-25* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All b) ☐ Some * c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 1-04) Office Action Summary Part of Paper No./Mail Date 20070321

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments, see amendment, filed 01/19/2005, with respect to the

rejection(s) of claim(s) 1-25 under 35 U.S.C. 103(a) have been fully considered and are

persuasive. Therefore, the rejection has been withdrawn. However, upon further

consideration, a new ground(s) of rejection is made in view of Brunts et al.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Emery (Emery et al., US Patent No.: 5,727,057) in view of Glorikian (Glorikian, Harry A.;

US 00 Patent No.: 6,343,317 B1) and further in view of Brunts et al. (Brunts, US Patent

No. : US Patent No.: 5,964,821 A).

        Regarding claims 1 and 10, Emery teaches of a satellite and method of sorting

geo-spatial dependent data using client wireless component (CWC) (columns 1 and 8,

lines 24-27 and 40-45 respectively; where finding the locations of all establishments

offering a specific type of business within an X meter radius requires sorting of the

location data), the method comprising at least: determining location of the CWC (Figure

1, items 105.1 and 107; where the GPS satellite determines the position of the mobile

device, CWC); accessing a document database whose datum have location identifiers

(column 8, lines 40-42; e.g., "location identifier"); and

Emery does not specifically teach where sorting, within the CWC, the document

database in a shortest-distance-first order based on the location of the CWC; and

displaying the geo-spatial dependent data in the shortest-distance-first order based on

the location of the CWC.

In related art concerning an internet system for connecting client-travelers with

geographically associated data, Glorikian teaches of sorting, within the CWC, the

document database in a shortest-distance-first order based on the location of the CWC.

(columns 5 and 6, lines 37-67 and 1-29, respectively; where information is "pushed" in a

shortest-distance-first order basis as shown in the example. Also, in an alternative

embodiment Gorkian teaches, columns 9 and 10, lines 59-67 and 1-8, where "portions

of the database may be downloaded by a user/client, based on current or expected

location, and stored locally accessible to the client's portable unit" and "the client,

having the relevant information stored locally... may then operate in the specific area,

accessing the locally-stored information by real-time GPS position, just as in the internet

connected situation described". Where, as in the example found on page 6, lines 1-14;

the information is provided in a "shortest-distance-first order"); and displaying the geo-

spatial dependent data in the shortest-distance-first order based on the location of the

CWC (columns 4, 5 and 6 lines 30-39, 26-42 and 1-28, respectively; where the

information provided to the user is displayed in the display and it is displayed in a

"shortest-distance-first order" in relation to the position of the user).

It would have been obvious to a one of ordinary skill in the art at the time the

invention was made to combine Emery's method of sorting and displaying geo-spatial

dependent data using client wireless component with Glorikian's shortest-distance-first

order executed within the CWC in order to provide the CWC user with an alternative

embodiment that provides the most proximate information regarding locations

associated with his/her location, as taught by Glorikian.

Although Emery and Glorikian implicitly teach of sorting and presenting location

information in a shortest-first basis, they do not specifically explicitly show of sorting and

presenting location information in a shortest-first basis.

Brunts shows where the geo-spatial dependent data is presented in a shortest-

distance first bases on the CWC (columns 13 and 14, lines 58-67 and 1-5; where the

distances are arranged in a shortest-distance fist basis).

It would have been obvious to one of ordinary skill in the art to combine Emery

and Glorikian method of providing geo-spatial data with Brunts's in order to allow the

user to "sort destinations within selected categories" in a "shortest-distance fist basis",

as taught by Brunts.

Regarding claims 2 and 11. Emery, Glorikian and Brunts teach all the limitations

according to claims 1 and 10, respectively . Emery further teaches of the usage of a

global position satellite (GPS)-type wireless component (CWC)(Figure 1, items 105.1,

107, and 108).

Regarding claim 3, Emery, Glorikian and Brunts teach all the limitations

according to claims 1. In addition, Emery teaches where determining of the location of

the CWC includes accessing an area code of the local wireless cellular network (column

16, lines 2-8).

Regarding claims 4 and 12, Emery, Glorikian and Brunts teach all the limitations of claims 1 and 10, respectively. Emery further teaches where the determining of the location of the CWC includes explicit entry of location data (column 11, lines 40-42).

Regarding claims 5 and 13, Emery, Glorikian and Brunts teach all the limitations of claims1 and 10, respectively. Emery further teaches of storing the location into the CWC by inputting the location in a location-tracking database that stores both the location and timestamp (column 7, lines 19-24).

Regarding claims 6 and 14, Emery, Glorikian and Brunts teach all the limitations of claims 1 and 10, respectively. Emery also teaches of editing the location identifiers to correspond to actual geo-spatial locations (columns 12 and 13, lines 62-67 and 1-8 respectively).

Regarding claims 7 and 15, Emery, Glorikian and Brunts teach all the limitations of claims 1 and 10, respectively. Emery further teaches assigning the location identifier based on information other than geo-spatial location (column 3, lines 59-65).

Regarding claims 8 and 16, Emery, Glorikian and Brunts teach all the limitations of claims 1 and 10, respectively. Glorikian further teaches where sorting comprises calculating a distance between the location and the location identifiers and ordering the datum by the distance, beginning with a smallest distance (column 6, lines 1-14; where the smallest distance is pushed to the top).

Regarding claim 9, Emery, Glorikian and Brunts teach all the limitations of claim 1. Emery further teaches where sorting of the document databases in a location-dependent order by calculating the distance between current location and the location

identifiers associated with the datum in the document database is by logical dimension

(column 6, lines 42-45).

Regarding claim 17, Emery, Glorikian and Brunts teach all the limitations of claim

10. Emery further teaches where sorting of the document databases in a location-

dependent order by calculating the distance between current location and the location

identifiers associated with the datum in the document database is by logical dimension

based upon user preference (column 12, lines 49-55).

Regarding claim 18, Emery teaches of a method of sorting location dependent

data (column 10, lines 34-63), the system comprising: a client wireless component

(CWC) (figure 1, item 105), the CWC having: a location tracker operatively configured

with a location tracking database (column 15, lines 5-8); a document database

operatively configured with an editor (column 15, line 40-41) a presenter (column 11,

lines 32-39) operatively configured with the location tracking database; and a recorder

(column13, lines 54-56); and a session manager (column 11, lines 48-57; shows an

example of a session performed by a session manager).

Emery does not specifically teach of a session manager within the CWC, where

location dependent data used by the CWC is stored by the session manager in a

shortest-distance first order; and displaying the geo-spatial dependent data in the

shortest-distance-first order based on the location of the CWC.

In related art, concerning an internet system for connecting client-travelers with

geographically-associated data, Glorikian teaches of the session manager within the

CWC (column 10, lines 3-8; where the management is done by the client's portable unit,

therefore, done by an internal session manager), where location dependent data used by the CWC is stored by the session manager in a shortest-distance first order (columns 5 and 6, lines 37-67 and 1-29, respectively; where information is "pushed" in a shortest-distance-first order basis as shown in the example. Also, in an alternative embodiment Gorkian teaches, columns 9 and 10, lines 59-67 and 1-8, where "portions of the database may be downloaded by a user/client, based on current or expected location, and stored locally accessible to the client's portable unit" and "the client, having the relevant information stored locally...may then operate in the specific area, accessing the locally-stored information by real-time GPS position, just as in the internet connected situation described". Where as in the example found on page 6, lines 1-14; the information is provided in a "shortest-distance-first order"; however, it is not being "pushed", but it is directly provided by the client's device stored information. Column 10, lines 3-8; where the management of sorting, displaying, starting ending the sessions is done by the client's portable unit, therefore, done by an internal session manager) and displaying the geo-spatial dependent data in the shortest-distance-first order based on the location of the CWC (columns 4, 5 and 6 lines 30-39, 26-42 and 1-28, respectively; where the information provided to the user is displayed in the display and it is displayed in a "shortest-distance-first order" in relation to the position of the user).

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Emery's method of sorting and displaying geo-spatial dependent data using client wireless component with Glorikian's session manager shortest-distance-first order executed within the CWC in order to provide the CWC user

with an alternative embodiment that provides the most proximate information regarding

locations associated with his/her location, as taught by Glorikian.

Although Emery and Glorikian implicitly teach of sorting and presenting location

information in a shortest-first basis, they do not teach explicitly of sorting and presenting

location information in a shortest-first basis.

Brunts teaches where the geo-spatial dependent data is presented in a shortest-

distance first bases on the CWC (columns 13 and 14, lines 58-67 and 1-5; where the

distances are arranged in a shortest-distance fist basis).

It would have been obvious to one of ordinary skill in the art to combine Emery

and Glorikian method of providing geo-spatial data with Brunts's in order to allow the

user to "sort destinations within selected categories" in a "shortest-distance fist basis",

as taught by Brunts.

Regarding claim 19, Emery, Glorikian and Brunts teach all the limitations of claim

18. Emery also teaches where the editor and the recorder comprise editing components

that modify the location-tracking database (column 14, lines 1-20).

Regarding claim 20, Emery, Glorikian and Mohi teach all the limitations of claim

18. Emery further teaches where the presenter retrieves documents from the document

database, and sorts them in location-dependent order for presentation by calculating the

distance between current location from the location tracking database and location

information associated with each document in the document database (column 15, lines

5-8).

Regarding claim 21, Emery, Glorikian and Brunts teach all the limitations of claim 18. Emery further teaches where the CWC further includes global positioning satellite (GSP) position components and distance determination for sorting the document database is determined by a signal from a GSP network (Figure 1, item 107).

Regarding claim 22, Emery, Glorikian and Brunts teach all the limitations of claim 20. Emery also teaches where the CWC includes position-determining components for sorting the document database, the determining components determine location of the CWC by accessing area code of the wireless cellular network (column 16, lines 4-8).

Regarding claim 23, Emery teaches of a program storage device readable by machine, tangibly embodying a program of instructions executable by the machine to perform the method for sorting location dependent data (column 3, lines 35-36) to perform a method of sorting geo-spatial dependent data using client wireless component (CWC) (columns 1 and 8, lines 24-27 and 40-45 respectively; where finding the locations of all establishments offering a specific type of business within an X meter radius requires sorting of the location data), the method comprising at least: determining location of the CWC (Figure 1, items 105.1 and 107; where the GPS satellite determines the position of the mobile device, CWC); accessing a document database whose datum have location identifiers (column 8, lines 40-42; e.g., "location identifier"); and

Emery does not specifically teach where sorting, within the CWC, the document database in a shortest-distance-first order based on the location of the CWC; and

displaying the geo-spatial dependent data in the shortest-distance-first order based on the location of the CWC.

In related art concerning an internet system for connecting client-travelers with geographically associated data, Glorikian teaches of sorting, within the CWC, the document database in a shortest-distance-first order based on the location of the CWC. (columns 5 and 6, lines 37-67 and 1-29, respectively; where information is "pushed" in a shortest-distance-first order basis as shown in the example. Also, in an alternative embodiment Gorkian teaches, columns 9 and 10, lines 59-67 and 1-8, where "portions of the database may be downloaded by a user/client, based on current or expected location, and stored locally accessible to the client's portable unit" and "the client, having the relevant information stored locally...may then operate in the specific area, accessing the locally-stored information by real-time GPS position, just as in the internet connected situation described". Where as in the example found on page 6, lines 1-14; the information is provided in a "shortest-distance-first order"; however, it is not being "pushed", but it is directly provided by the client's device stored information); and displaying the geo-spatial dependent data in the shortest-distance-first order based on the location of the CWC (columns 4, 5 and 6 lines 30-39, 26-42 and 1-28, respectively; where the information provided to the user is displayed in the display and it is displayed in a "shortest-distance-first order" in relation to the position of the user).

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Emery's method of sorting and displaying geo-spatial dependent data using client wireless component with Glorikian's shortest-distance-first

order executed within the CWC in order to provide the CWC user with an alternative

embodiment that provides the most proximate information regarding locations

associated with his/her location, as taught by Glorikian.

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Brunts teaches where the geo-spatial dependent data is presented in a shortest-

distance first bases on the CWC (columns 13 and 14, lines 58-67 and 1-5; where the

distances are arranged in a shortest-distance fist basis).

It would have been obvious to one of ordinary skill in the art to combine Emery

and Glorikian method of providing geo-spatial data with Brunts's in order to allow the

user to "sort destinations within selected categories" in a "shortest-distance fist basis",

as taught by Brunts.

Regarding claim 24, Emery, Glorikian and Brunts teach all the limitations of claim

23. Emery further teaches the editing of the document database further includes

capability of editing the location identifier associated with the datum determined by the

actual geo-spatial location (columns 12 and 13, lines 62-67 and 1-8 respectively).

Regarding claim 25, Emery, Glorikian and Brunts teach all the limitations of claim

23. Emery further teaches the editing of the document database further includes

capability of editing the location identifier associated with the datum determined by the

non-actual geo-spatial location (column 3, lines 59-65).

Conclusion

4.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angelica Perez whose telephone number is 571-272-7885. The examiner can normally be reached on 6:00 a.m. - 1:30 p.m., Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on (571) 272-4177. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and for After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either the PAIR or Public PAIR. Status information for unpublished applications is available through the Private PAIR only. For more information about the pair system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Information regarding Patent Application Information Retrieval (PAIR) system can be found at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2600's customer service number is 703-306-0377.

Angelica Perez
Examiner

March 21, 2007

Matthew D. Anderson
Supervisory Patent Examiner

Art Unit 2618